

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:CR-01-352-02
	:	
	:	
v.	:	
	:	
	:	
BRADLEY LANORD LOTT	:	

ORDER

Before the court is Defendant's motion for jail time credit or prior custody credit pursuant to 18 U.S.C. § 3585(b). Defendant was sentenced by this court on April 8, 2003. At the time of sentencing, Defendant was in the primary custody of the Commonwealth of Pennsylvania pending sentencing for violation of controlled substances laws. Thus, on April 8, 2003, Defendant was "borrowed" from the state custody for purposes of sentencing and then was returned to the state custody for subsequent sentencing by the state court where he was sentenced to a term of three to six years. Defendant was paroled to the federal detainer on January 11, 2005.

On August 27, 2005, the Bureau of Prisons wrote to this court as to whether consent would be given to have Defendant's federal sentence commence, *nunc pro tunc*, effective April 8, 2003. Said consent was given by this court. On September 9, 2005, the Bureau of Prisons recomputed Defendant's sentence to commence April 8, 2003, *nunc pro tunc*.

IT IS THEREFORE ORDERED THAT:

- 1) Defendant's motion for jail time credit is deemed moot.

2) Any appeal from this order will be deemed frivolous and not taken in good faith.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: May 2, 2006.